

Environmental Assessment/Finding of No Significant Impact

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The EA is generally used to identify impacts associated with the alternatives and to allow the responsible Federal official to determine whether to prepare a FONSI or an EIS. Because CEQ defines the term “environmental assessment” as the basis for either a FONSI or an EIS, this term should not be used for other Reclamation documents.

6.1 When to Use an Environmental Assessment

An EA will be prepared for all actions except for:

- Actions exempted from NEPA.
- Those covered by a CE.
- Those that qualify for a CE based upon the CEC.
- Those actions which have been sufficiently addressed by an earlier environmental document (generally an EA or EIS).
- Those actions for which a decision already has been made to prepare an EIS. (Often, it is obvious when an action is first proposed that an EIS will be needed.)

EAs should be written for actions for which there is not an appropriate CE, or for actions that may fall under an exclusion category but do not qualify under the checklist criteria. These types of EAs may be fairly short, if the action is minor with no conflict or controversy, or may be rather lengthy. The average EA should be about 30 pages or less. As the length of the EA increases, the chances increase that an EIS is the correct documentation under NEPA, simply because the number of issues is one indication of the possibility of significant impacts.

An EA may also be prepared when minor changes are made to a proposed action for which an EIS has been completed. As an example,

this type of EA can occur when a programmatic EIS has been completed but site-specific layout and design of projects have not taken place. Another example occurs when an EIS was done for development of an irrigation district but changes to the delivery system are proposed.

EAs are generally prepared in the regions by either the area or regional offices, and the head of the area or regional office would have ultimate responsibility for their adequacy. Denver's TSC may prepare an EA for a region or may (rarely) prepare one for a TSC internal action (e.g., research actions). An environmental specialist with expertise in NEPA should be involved in the preparation and review of all EAs. When preparing an EA for a region or area office, the regional or area office's review procedures would apply. When preparing an EA for an internal action, the TSC should ensure appropriate input and review by someone experienced in NEPA compliance who has not been involved in actual development of the EA. For internal EAs, the Director of the TSC would be responsible for adequate NEPA compliance and internal review procedures.

If an action proposed by the Commissioner's Office should require an EA, the responsibility for preparation will be determined by the Commissioner. Regardless of how it is prepared, the EA will be reviewed, at a minimum, by the Commissioner's Office of Policy and/or Policy and External Affairs Office and approved by the appropriate office director.

In addition, an EA-like process may be used to evaluate any action at any time to assist in planning and decisionmaking. This process would **not** necessarily lead to a decision on additional compliance but would provide the decisionmaker with information on environmental issues and effects that may be incorporated upfront in a proposal.

Finally, for EAs that are likely to be complex or to address a wide range of issues, a review of EIS actions and content (chapters 7 and 8) is recommended.

Figure 6.3 is an environment assessment process flowchart.

6.2 Actions Associated with an EA

The EA process is not as formal as the EIS process. For a minor, routine action, an EA may simply be a short document written by a few people within a Reclamation office and approved with a simple public notice of availability but without any formal public review process. However, there should still be consultation with various

agencies and affected interests. An EA on a complex action with substantial public interest may involve many of the public involvement actions, and other actions, associated with an EIS. Depending on the complexity of the proposal, the following actions may be appropriate:

- Joint environmental documentation with State, tribal, and local agencies
- Scoping (public, interagency, and/or intra-agency)
- News releases
- Sending the draft EA to the public for comments
- Public meeting
- Sending the final EA and FONSI to the public
- Consultation and coordination with other agencies
- Public meeting on the draft
- Supplementing previous EAs and FONSIs
- Adoption of an EA

Reclamation is responsible for the adequacy, completeness, and processing of all EAs involving Reclamation actions, projects, and lands. Applicants for actions requiring Reclamation's approval will normally have to supply the appropriate information needed for any required NEPA document. If a contractor will be developing an environmental report for the applicant to use to comply with NEPA requirements, Reclamation should participate in the selection of the contractor without the requirement to approve the solution; in addition, the report should meet Reclamation standards. Further, the contractor must provide a disclosure statement asserting that he/she will not receive any benefits as a result of the proposed project. The applicant should bear the costs of gathering environmental information necessary for NEPA compliance. This may be done by hiring a contractor to obtain the necessary information or by funding Reclamation to do the work.

6.3 Timeframe for an EA

The EA should be started as early as possible and be developed concurrently with other studies. The office proposing an action must schedule sufficient time for the EA to be prepared and obtain sufficient budget for its completion. The time needed for the EA process is highly variable, often taking 6 to 9 months, but it may be much less or longer depending upon the issues and controversy associated with the proposal and the extent of public review and interest. During preparation of an EA, factors may surface, indicating the need for an EIS; there could be a delay in the action if sufficient lead time is not provided at the start of the process.

In addition, the timeframe can be significantly affected by the separate processes associated with cultural and hazardous materials compliance, FWCA requirements, ITA analysis, and consultation under the ESA. These factors should be taken into consideration when developing a timeline.

6.4 Content of an EA (40 CFR 1508.9)

CEQ regulations require that the EA include:

- A brief discussion of the need for the action
- If there are unresolved conflicts over the use of resources, a range of reasonable alternatives to the proposed action
- The environmental impacts of the proposed action and alternatives
- A list of agencies and persons consulted

The EA should be prepared by an interdisciplinary team rather than a single individual. If it is not possible to assemble a team, different disciplines should be contacted to provide appropriate information and analysis.

An EA shall not, in and of itself, conclude whether an EIS or a FONSI shall be prepared. Impacts should be identified quantitatively whenever possible or a qualitative analysis given. Statements as to the significance of impacts should not be made since that determination is made in the FONSI. It is permissible to include a draft FONSI with a draft EA when the draft is circulated.

The level of detail and depth of impact analysis should be limited to that needed to determine if significant impacts will occur. Only those factors of the existing environment which might influence or be significantly affected by the proposed action need be discussed. A statement as to why other factors are not discussed should be included at the beginning of the Affected Environment section.

Conclusions and analysis shall be based upon an unbiased, objective evaluation of data and information presented in the EA. Opinions, justifications, and unsupported “statements of fact” should be avoided.

Information not considered to be general knowledge should be supported by:

- Information that can be found in published material
- Information readily available for inspection in either the area or regional office
- Data collected by Reclamation, other Federal agencies, contractors, or other technically qualified agencies or organizations

Information may be incorporated by reference (40 CFR 1502.21). Figure 6.1 is an example of a short EA.

6.4.1 Purpose and Need

This section shall present a brief statement of what the proposal is and why the action is being considered (i.e., what are the underlying objectives to which the agency is responding). The following information is optional but may be helpful in more fully defining the purpose and need: Federal permits, licenses, approvals, and entitlements that will be necessary to implement the project and ongoing actions that may affect or be affected by the proposed project. This discussion should be kept brief and focused on the purpose and need.

6.4.2 Proposed Action and Alternatives

This section should identify the proposed action and other reasonable alternatives including no action. A summary comparison of the environmental impacts of the alternatives may be included.

6.4.2.1 No Action Alternative

While a no action alternative is not required in an EA under CEQ regulations, it is recommended, since it provides an appropriate basis by which all other alternatives are compared. It should be presented first so the reader can easily compare the other alternatives to it. The no action alternative should not be considered identical to existing conditions of the affected environment because future changes may occur regardless of whether any of the action alternatives are chosen. These future actions could include other water development projects, land use changes, or municipal development. The no action alternative is therefore often described as “the future without the Federal project.” Sufficient discussion should be devoted to the no action alternative so that readers can make the needed comparisons for the evaluation and understand how the no action alternative is different from existing conditions. Where the no action alternative is different from existing conditions, the document should clearly discuss the differences.

6.4.2.2 Action Alternatives

Action alternatives include the proposed action and all other feasible and reasonable alternatives that will be evaluated in the EA. Each action alternative should fulfill the requirements of the purpose of and need for the project as described in the “Purpose and Need” section of the assessment. The appropriate discussion should be presented for each alternative so that reviewers may evaluate the environmental impacts of each alternative by comparing them to the no action alternative. These discussions should be brief and tightly focused upon potentially significant issues. An EA does not require the detailed analysis of alternatives presented in an EIS. The proposed action should be identified in the assessment to make readers aware of the action that is being contemplated, allowing them to focus their review on that action. It is possible that only the no action alternative and the proposed action alternatives need to be analyzed if no unresolved conflicts concerning alternative uses of resources exist.

Alternatives outside the agency’s authority to implement should be considered. If such an alternative became the preferred alternative, implementation would depend on a change in authorization, a change of the lead Federal agency to one with the appropriate authority, or a transfer of the project to a non-Federal entity. It could also lead to the cancellation of the project.

The discussion of the alternatives, including the no action alternative, may include the following items, where appropriate:

- Location of alternatives and alternative project features, including legal description and a map or sketch
- Amount and ownership of lands to be affected
- Area to be disturbed
- Numbers, locations, and photographs or drawings of structures to be constructed, including utilities
- Water and wastewater quantities, wastewater disposal plans, and water conservation measures
- Description of project operations
- Mitigation plans and restoration plans
- Costs associated with the alternative, including mitigation

Mitigation measures and environmental commitments needed to reduce impacts below significance should be incorporated into the alternatives, where appropriate. These mitigation measures then become an integral part of the alternative. In other words, the alternative cannot be described without the mitigation measures.

6.4.3 Affected Environment

The affected environment is considered to be the existing condition. In describing the affected environment, care should be taken to identify the environmental trends that currently exist and the areas of concern that may be impacted by the action or alternatives, not just to provide an inventory of resources.

The EA should emphasize only those resource areas that may be impacted by the action, and only to the extent necessary to enable an understanding of the extent of anticipated impacts. A brief discussion of critical environmental areas or issues—such as ITAs, environmental justice, cultural resources, and T&E species—is necessary to show that they have been considered, even if there are no impacts. Where ongoing activities have significant effects upon these areas or issues, the discussion should summarize both the significance of the ongoing effect and what specific ongoing activity is causing the effect.

6.4.4 Environmental Consequences

The “Environmental Consequences” chapter forms the scientific and analytic basis for the comparison of alternatives, including the proposed action and no action. In this section, the environmental impacts of all alternatives will be discussed. It is important that analyses are presented only for meaningful project impacts in a clear, concise discussion. If the project would have no impact upon critical environmental areas or on such issues as those involving wetlands and endangered species, this should also be stated.

Both beneficial and adverse impacts should be presented. The EA should address short- and long-term impacts, direct and indirect impacts, irreversible and irretrievable resource commitments, and residual or net (those remaining after all mitigation measures are implemented) impacts. The EA should also discuss the significant cumulative impacts resulting from actions taken by Reclamation, other Federal agencies, and State and local agencies and how they can be related to the action being considered. (For further information on primary, secondary, residual, and cumulative impacts, see chapter 8.)

Mitigation should be addressed following the review of impacts for each resource component being evaluated and should be presented for each alternative. Mitigation measures address impacts not eliminated through avoidance of adverse effects. Mitigation measures necessary to reduce impacts to a level below significant should be considered as environmental commitments. If they are just suggestions, and not commitments, this should be so stated.

6.4.5 Consultation and Coordination

This section shall include a list of agencies and persons consulted (40 CFR 1508.9 (b)). It should also document field reviews of the project site or location of proposed development, as appropriate. NEPA Implementation Procedures Appendices I, II, and III, 40 CFR, chapter V, contain lists of Federal and State agencies to be contacted (attached).

This section should include a record of public involvement activities. Efforts should be made throughout the planning of the project to involve Federal, State, tribal, local, and private agencies and organizations and individuals (40 CFR 1506.6 and 516 DM 3.3). This section should document, in chronological order, the meetings, news releases, and other consultation and coordination activities leading to the selection and development of the action or project.

Letters of comment received as a result of the distribution of the draft EA and/or draft FONSI should be attached to this section of the final EA. In addition, a response for each comment should be presented. If several comments are the same, only one response is necessary, with subsequent references back to the original response.

6.4.6 Compliance with Environmental Statutes

To the maximum extent possible, an EA shall be prepared concurrently and integrated with environmental impact analysis and related surveys and studies required by the National Historic Preservation Act, FWCA, ESA, other environmental laws and EOs, and other appropriate State and local laws. A discussion of related laws and EOs should be included either as an attachment or in chapter 1. The discussion of related laws and EOs should be integrated with the description of the respective impacted resource.

A list of required permits (Federal, State, tribal, and local), along with a determination of who will be responsible for obtaining these permits, should be included. Some of the actions which may require permits are as follows:

- *Burning*.—If burning is involved, indicate that a burning permit must be obtained.
- *Water quality*.—If water quality is potentially affected by a proposed action, a National Pollutant Discharge Elimination System permit (Section 402 CWA) or stormwater runoff permit may be required. Similarly, if a project may result in the placement of material into waters of the United States, a Corps' Dredge and Fill Permit (Section 404 CWA) may be required. (It should be noted that the 404 permit also pertains to activities in wetland and riparian areas.) In addition, a Section 401 certification may be required, stating that any discharge complies with all applicable effluent limitations and water quality standards.
- *Nonpoint sources of pollution from agriculture, silviculture, mining, and construction*.—Activities should be identified and procedures and methods set forth to control such sources (Section 101(a)(7) CWA). These plans should be consistent with applicable State Nonpoint Source Management Plans (Section 319(k) and EO 12372).
- *Oil storage and hazardous substances*.—If an alternative involves a development in which significant amounts of oil are

stored, the assessment should describe contingency plans to minimize the adverse effects of a spill. A *Spill Prevention Control and Countermeasure Plan*, in accordance with 40 CFR 112.7, must be completed and available for inspection.

6.4.7 List of Environmental Commitments

A list of environmental commitments for the preferred alternative should be prepared and included in the EA. This list is usually included as an attachment to the EA and contains all mitigation measures as well as management actions that are upfront mitigation measures included as part of the proposal.

6.4.8 List of Preparers

A list of preparers including Reclamation personnel, other Federal personnel (e.g., the Service biologist), and non-Federal persons contributing to the formulation of the action or project, along with their technical expertise, may be included as a part of the draft and final EA.

6.4.9 Bibliography

A bibliography is encouraged. Citations of specific topics should include the pertinent page number.

6.4.10 Distribution List

A distribution list may be included in the “Consultation and Coordination” section or as a separate attachment or appendix. The affected and interested publics should be put on the distribution list. In identifying the “affected” publics, those individuals should be considered who are directly or indirectly affected, as well as those who have expressed an interest in the action. Commentors on the draft EA distribution list should be indicated with an asterisk in the final EA/FONSI.

6.5 Format for an EA

There is no required format for an EA. A recommended format for EAs is shown in this section. Cases may occur in which a modified outline would facilitate the presentation of environmental information

and analyses. Any format, however, must include the required elements discussed in section 6.4 and may be limited to just those four required elements.

Although the EA ordinarily should not exceed about 30 single-spaced pages in length, a proposal of great complexity may require additional description and analysis. As an EA increases in length and complexity, increased consideration should be given to preparing an EIS, rather than an EA, as the appropriate NEPA compliance document. The document should be written in a clear, concise fashion based on the necessary environmental analysis. Every attempt should be made to avoid overly technical language. The text, appropriate tables, and figures should be presented so the decisionmakers and the public can readily understand them. A recommended EA format would include:

- A cover sheet, summary, and list of preparers (optional)
- Table of contents
- Purpose and need
- Proposed action and alternatives
- Affected environment and environmental consequences (may be either one or two sections)
- Consultation and coordination
- Attachments

6.6 Review and Distribution of an EA

The public review will vary with each EA, depending on the potential significance of the action, controversy, and other factors (CFR 40 CFR 1506.6, 40 CFR 25, and 516 DM 3.3). The review can range from simple notice that an EA is being prepared (for simple, non-controversial actions) to, rarely, programs that are similar to EISs in terms of public involvement (for more complex, controversial actions). Remember that as complexity, potential significance, and potential controversy increase, the need to consider an EIS as the appropriate NEPA compliance document also increases.

Preliminary review of the draft EA by any cooperating entities, such as project sponsors, the Service, EPA, or Indian Nations or tribes, is encouraged. The level of the review and selection of the reviewing entities will be at the discretion of the office preparing the draft EA.

The draft EA should be made available for comment to potentially affected Indian Nations or tribes, State and local agencies or organizations, and local offices of Federal agencies with expertise in the field. Obtaining assistance through consultation is encouraged before the EA is written. Holding public meetings on the proposed action may be desirable but is not required.

The public review used for the EA can also fulfill other public review requirements, such as EO 11990, EO 11988, ITA's, cultural resources, and environmental justice. Public notice that an EA is available is required by 40 CFR 1506.6(b) (see also question 38 in the NEPA's *Forty Most Asked Questions* by CEQ, attached). This public notice can be as informal as a notice in the local newspaper or as formal as a *Federal Register* notice, depending upon the specific situation.

If, based on a draft EA, a FONSI is contemplated, it is permissible to state this preliminary decision in the draft EA or to include a draft FONSI with the draft EA letter of transmittal. However, the transmittal letter should clearly state that a final determination will not be made until after the public review process.

A FONSI must be made available for public review 30 days before Reclamation's final determination on whether or not to prepare an EIS in the following circumstances: (a) if the nature of the proposed action is without precedent; or (b) when it involves a proposal which is closely similar to one which normally requires preparation of an EIS (40 CFR 1501.4(e)(2)).

6.7 Results of the EA

The EA will generally provide sufficient information to determine if an EIS or a FONSI is needed (rarely, a proposal may be dropped entirely). In some cases, it is used to provide information to the planning process without leading to a conclusion on potentially significant issues.

6.7.1 EIS

It is rare that an EA will be finalized and then an EIS begun simply because, as soon as the analysis indicates that an EIS is needed, the EA process is generally stopped and the EIS process initiated. The EIS process is discussed in considerable detail in chapters 7 and 8.

6.7.2 FONSI

6.7.2.1 Description and Purpose

If, based on the EA, the responsible manager (at the area office, regional office, within the TSC, or within the Commissioner's Office) decides that the impacts of the proposed action do not warrant preparation of an EIS, a FONSI will be prepared by the originating office. The FONSI will normally not be longer than two or three pages (and can be even shorter). An example of a FONSI is shown in figure 6.2.

CEQ regulation 40 CFR 1508.13 defines a FONSI as a

. . . document by a Federal agency briefly presenting the reasons why an action, not otherwise categorically excluded, will not have a significant effect on the human environment and for which an EIS therefore will not be prepared.

The absence of controversy over a proposed action does not necessarily indicate that a FONSI is appropriate any more than the presence of controversy means an EIS is automatically required.

The FONSI is a decision document based on evaluation of impacts in the EA and other factors. It is often bound at the front of the final EA. If it is not, the EA or a summary should be attached to it. The FONSI shall note any other environmental documents related to the action. Such documents may be EAs/EISs that are completed or being prepared. These documents may be related to, but are not part of, the scope of the proposal under consideration.

The FONSI should present conclusions substantiating why the impacts described and analyzed in the EA are not significant. This would include identifying any mitigation measures that would be adopted to reduce or eliminate impacts. In some instances, a proposal with significant impacts may require only a FONSI (as opposed to an EIS) if it can be clearly demonstrated that mitigation which reduces impacts to the point of nonsignificance is committed to as part of the action.

Environmental commitments made in the EA/FONSI are considered legal obligations.

Actions that may affect T&E species require consultation with the Service and/or NMFS. Effects on National Register listed or eligible properties require consultation with the SHPO. A Service or NMFS biological opinion indicating jeopardy upon listed species and/or a SHPO determination that there might be unmitigable impacts to

National Register listed or eligible property would generally preclude the preparation of a FONSI.

The conclusions should be expressed as briefly and concisely as possible and should cover the major issues included in the EA. Topics not covered by analysis in the EA should not be introduced in the FONSI. If significant new environmental information is developed or plans are changed between the time the EA is prepared and the FONSI is signed, the EA should be revised to include the new information. Once the FONSI is signed, any changes in the proposed action that could lead to new impacts would require a supplement to the EA and FONSI.

No action can be taken until there is a final FONSI that addresses the entire proposed action.

6.7.2.2 Processing

The FONSI, including the attached EA, should be distributed to appropriate Federal, State, and local agencies, Indian Nations or tribes, individuals, organizations, and agencies involved in the preparation of, or who commented on, the EA, and to the general public, upon request. The availability of the FONSI and assessment shall be announced to the affected public (40 CFR 1506.6(b)).

If the FONSI covers an action that normally would require an EIS, is an action without precedent, or is highly controversial, a draft EA and, where appropriate, a draft FONSI should be circulated for public review for 30 days and a news release issued before a determination is made to finalize the FONSI or prepare an EIS (40 CFR 1501.4(e)(2)). The proposed action cannot commence until this process is completed.

The regional or area office, depending upon regional policy, should serially number and file each FONSI initiated and prepared. Each FONSI prepared during a calendar year should be serially numbered using either the region or area office designation and the FONSI-year-number-to-date (e.g., GP-FONSI-89-1). This is to aid referencing the document, as well as to assist tracking FONSI decisions Reclamation-wide.

Because the FONSI will be used as backup documentation for decisionmaking packages in the regional or area office, it is recommended that each region establish a single repository for all EAs and FONSIs produced.

In instances in which another agency has completed an EA and FONSI on the same action, the appropriate regional or area office

official may independently analyze the documents and, if applicable, use them as Reclamation's NEPA compliance (see section 3.12.1 on adoption). In these instances, a Reclamation cover sheet and a separate discussion on the analysis and reasons for adoption should be prepared. It is also appropriate to adopt a proponent-prepared environmental report in the same manner. Adoption does not remove the need for public review prior to finalizing the EA/FONSI.

6.7.2.3 Approval

FONSIs that are prepared by the regions, or prepared by the TSC for the regions, will be approved and signed by the area manager and/or the regional director as determined by regional policy and procedures. If the action is to be approved by the Commissioner, and the FONSI is prepared in the TSC, then the FONSI will be approved by either the Director of the Policy and External Affairs Office or the Director of the Commissioner's Office of Policy, at the direction of the Commissioner. It is recommended that an environmental specialist who is familiar with the action review the FONSI before it is signed.

ENVIRONMENTAL ASSESSMENT

TEMPORARY WATER TRANSFER FROM BROOMIESIDE RANCH
TO MOJAVE WATER AGENCY

Prepared by

U.S. Department of the Interior
Bureau of Reclamation
Mid-Pacific Region

Sacramento, California

September 1995

Figure 6.1.—Example of an environmental assessment.

ENVIRONMENTAL ASSESSMENT

TEMPORARY WATER TRANSFER FROM BROOMIESIDE RANCH TO MOJAVE WATER AGENCY

PURPOSE AND NEED FOR ACTION

The purpose of the proposed action is to transfer water to the Mojave River Basin which has been in a state of overdraft since the early 1950's. The present consumptive use of agriculture, urban, and phreatophyte use exceeds the basin water supply. Water made available by the proposed transfer will be used for groundwater recharge in the Mojave River Channel to alleviate the existing overdraft. No facility construction or improvements would occur as a result of the proposed temporary transfer.

PROPOSED ACTION AND ALTERNATIVES

Proposed Action:

The proposed action is for Broomieside Ranch (Broomieside) to transfer up to 2,000 acre-feet of the base water supply¹ available under Contract No. 14-06-200-1286A, during their contract period, April through October. The transfers would occur in 1995 and/or 1996 and would be in accordance with Reclamation's current water transfer guidelines. A portion of Broomieside's base supply water would be made available in the Delta for diversion at the State Water Project's (SWP) Harvey O. Banks Pumping Plant, and the water will be conveyed by SWP facilities.

The proposed transfer will require certain changes to Reclamation's existing water rights Permit to provide for the addition of a Point of Diversion and Rediversion and change in proposed Place of Use. A Change Petition was filed with the State Water Resources Control Board, Division of Water Rights (State Board) on Permit 12721. If granted, the Petition will provide for the temporary addition of the Banks Pumping Plant as a point of diversion and rediversion and the Mojave Water Agency

¹Base Supply is defined in the Broomieside contract with the United States as that quantity of water which the United States agrees may be diverted by the Contractor from the Sacramento River each month during the period April through October of each year without payment to the United States for such quantities diverted.

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Figure 6.1.—Example of an environmental assessment (continued).

service area as an additional place of use under these Permits. The State Board action is exempt from the requirements of the California Environmental Quality Act pursuant to Sections 1725-32 of the California Water Code, as long as the proposed temporary change would not injure any legal user of the water and would not unreasonably affect fish, wildlife, or other in-stream beneficial uses.

The water transferred to the Mojave Water Agency (Mojave) would be used through a conjunctive use program for groundwater recharge to correct the existing overdraft problem. No facility construction or improvements would be required for the proposed temporary transfer. The base supply water to be transferred from Broomieside to Mojave would be made available through groundwater substitution from an existing well on the property, which Reclamation has approved for transfer purposes.

No Action:

The no-action alternative would consist of not transferring the water from Broomieside to Mojave. In order to alleviate the overdraft, Mojave would seek out other water transfers. The impacts associated with the use of other sources of water would likely equal or exceed those of the proposed action.

Conservation:

Conservation efforts alone, within the Mojave service area, will not correct the overdraft. Therefore, this alternative will not be evaluated further in this Environmental Assessment.

Preferred Alternative:

The proposed water transfer from Broomieside to Mojave is the preferred action to temporarily alleviate overdraft within the Mojave River Basin.

AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

Physical Requirements

Under the proposed transfer, water would be conveyed through the east branch of the California aqueduct to facilities owned and operated by Mojave. All delivery systems are existing, and no new facilities will need to be constructed for recharge of the

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Figure 6.1.—Example of an environmental assessment (continued).

Mojave River Channel. Therefore, no impacts associated with water delivery would be anticipated. Reclamation has determined that there would be no identifiable impacts to the Central Valley Project (CVP) operations as a result of this transfer and does not anticipate any significant impacts resulting from this action.

Wildlife

No negative impacts to plants or wildlife would occur since no new facilities would be constructed. In addition, because the temporary one-year transfer would not have any adverse impact on the existing hydrology, no fish or wildlife impacts would occur. Groundwater recharge in the Mojave River Channel could result in extended surface flows in some reaches, thereby improving habitat conditions for fish and wildlife. Groundwater recharge will help to eliminate groundwater overdraft and will result in a beneficial effect on riparian and wetland vegetation dependent upon groundwater supplies in certain areas. Reclamation has determined that the proposed temporary transfer would not affect federally-listed or proposed threatened or endangered species.

Cultural Resources

Groundwater recharge in the Mojave River Basin under the proposed action will not result in new surface disturbance since all of the delivery systems are existing and no new facilities will need to be constructed. Therefore, Reclamation has determined that properties on, or eligible for listing on, the National Register of Historic Place would not be affected as a result of the proposed action.

Indian Trust Assets

The proposed action would have no negative impacts on Indian Trust Assets.

Groundwater

Reclamation's geology branch evaluated the log for the Broomieside well which will be used in the transfer and concluded that the proposed action will not adversely impact the groundwater basin near Broomieside.

Project Operations

Reclamation has determined that there would be no identifiable impacts to the CVP operations as a result of this transfer.

Environmental Justice

The approval of the proposed project would not affect minority or low-income populations and communities.

Figure 6.1.—Example of an environmental assessment (continued).

Growth-Inducement Impacts

The proposed transfer, which would be for one year only, would not result in growth-inducing impacts, as the water to be transferred will be used in a conjunctive-use program for groundwater recharge to correct the existing overdraft condition of the Mojave River Basin. The present consumptive use of agriculture, urban, and phreatophyte use exceeds the basin water supply. The proposed transfer serves to alleviate impacts associated with existing development rather than inducing new growth.

Cumulative Impacts

The proposed transfer will not result in any adverse cumulative impacts, because: (1) the water will be transferred pursuant to valid base supply contracts; (2) the water will be distributed using existing conveyance systems; (3) the water will be in compliance with the present standards for the San Francisco Bay/Sacramento-San Joaquin Bay Delta Estuary; and, (4) the water will be used to recharge an area which is in a state of overdraft.

CONSULTATION AND COORDINATION

This Environmental Assessment was prepared in consultation and coordination with the following agencies:

Department of Water Resources
State Water Resources Control Board, Division of Water Rights
Mojave Water Agency

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Figure 6.1.—Example of an environmental assessment (continued).

United States Department of the Interior

FINDING OF NO SIGNIFICANT IMPACT

TEMPORARY WATER TRANSFER FROM BROOMIESIDE RANCH TO
MOJAVE WATER AGENCY

In accordance with the National Environmental Policy Act of 1969, as amended, and based on the following, the Bureau of Reclamation (Reclamation) has determined that approval of the transfer of water from John D. Reynen, et al, doing business as Broomieside Ranch (Broomieside) to Mojave Water Agency (Mojave) would not result in a significant impact on the human environment.

The purpose of the proposed temporary transfer of water to the Mojave River Basin is to assist in the reduction of overdraft which has existed since the early 1950's. The present consumptive use of agriculture, urban, and phreatophyte use exceeds the basin water supply. Water made available by the proposed transfer will be used for groundwater recharge in the Mojave River Channel to correct existing overdraft conditions of the Mojave River Basin. No facility construction or improvements would be required to implement the proposed temporary transfer.

Broomieside would transfer a total of up to 2,000 acre-feet of the base water supply¹ available under its Contract No. 14-06-200-1286A, during the contract period, April through October. The transfer would occur in 1995 and/or 1996 and will be in accordance with Reclamation's current water transfer guidelines. A portion of Broomieside's base supply water would be made available in the Delta for diversion at the State Water Project's (SWP) Harvey O. Banks Pumping Plant (HOBPP), and the water would be conveyed by SWP facilities.

The base supply water to be transferred from Broomieside to Mojave would be made available through groundwater substitution from an existing well on the property, which Reclamation has approved for transfer purposes.

The proposed temporary transfer would cause the flow in the Sacramento River and Delta to increase, although slightly, by the amount transferred between Broomieside's points of diversion and the HOBPP. This increase will be a small percentage of the total flow and would be water that would have been available to Broomieside, absent this transfer; therefore, no impacts would occur. The proposed transfer would have no identifiable impacts to the SWP

¹Base Supply is defined in the Broomieside contract with the United States as that quantity of water which the United States agrees may be diverted by the Contractor from the Sacramento River each month during the period April through October of each year without payment to the United States for such quantities diverted.

Figure 6.2.—Example of a finding of no significant impact.

system. The proposed transfer would take place within the constraints set forth in the December 15, 1994, Principles for Agreement on Bay-Delta Standards to protect fish and wildlife.

No negative impacts to fish or wildlife would occur. Groundwater recharge in the Mojave River Channel could result in extended surface flows in some reaches, thereby improving habitat conditions for fish. Groundwater recharge will help to eliminate groundwater overdraft and will result in a beneficial effect on riparian and wetland vegetation, and wildlife species dependent upon groundwater supplies in certain areas.

Reclamation's geology branch evaluated the log for the Broomieside well which would be used in the transfer and concluded that the proposed action will not adversely impact the groundwater basin near Broomieside.

Reclamation's approval of the proposed transfer is conditioned upon the receipt of approval from the State Water Resources Control Board of the proposed Change Petition.

Concur:

Northern California Area Office NEPA Coordinator

Date

Approve:

Northern California Area Office Area Manager

FONSI NO.

Figure 6.2.—Example of a finding of no significant impact (continued).

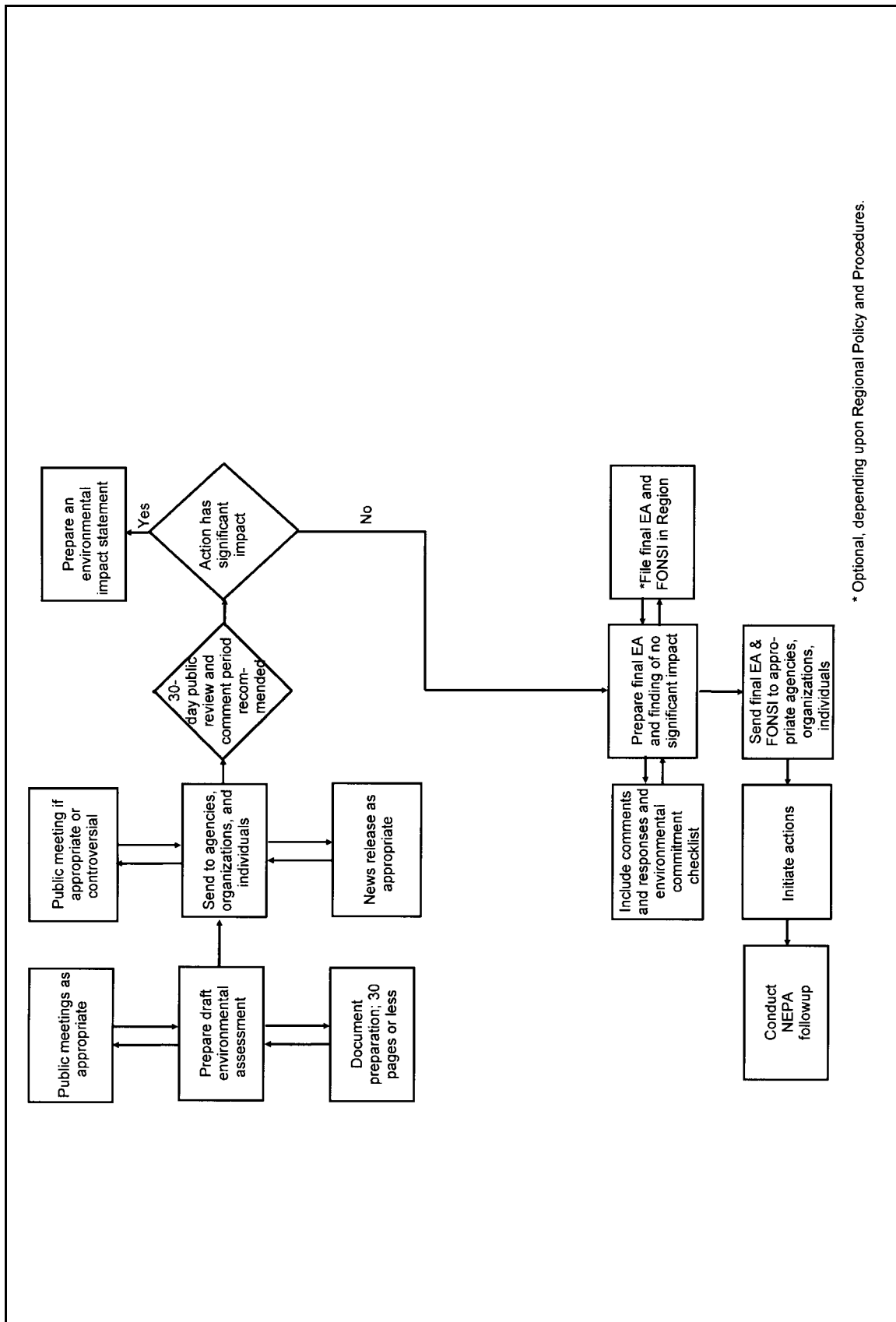


Figure 6.3.—Environmental assessment process flowchart.

